IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

WP(C).No. 32935 of 2007(U)

PETITIONER:

G.RAMAKRISHNAN, S/O. GOPALAN,
AGED 47 YEARS, DRIVER, K.S.R.T.C., KOTTARAKKARA,
AND RESIDING AT R.S.BHAVAN, THURAVUR,
ODANAVATTOM, KOTTARAKKARA.

BY ADV. SRI.N.UNNIKRISHNAN

RESPONDENTS:

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1. THE KERALA STATE ROAD TRANSPORT CORPN.,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM,
REP. BY MANAGING DIRECTOR.

2. THE CHIEF LAW OFFICER-IN-CHARGE OF
EXECUTIVE DIRECTOR (VIGILANCE), K.S.R.T.C.,
THIRUVANANTHAPURAM.

3. THE DISTRICT TRANSPORT OFFICER,
K.S.R.T.C., KOTTARAKKARA.

BY SC ADV. SRI. K. PRABHAKARAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.32935 of 2007

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Dated this the 7th day of November, 2007

JUDGMENT

Petitioner challenges Ext.P1 order of suspension. He also seeks a direction to reinstate him and he further seeks a direction to pass orders on Ext.P2. Ext.P2 is purportedly filed under Rule 22 of the Kerala Civil Service (Classification, Control and Appeal) Rules.

2. I heard learned counsel for the respondents also. I feel that a decision should be directed to be taken on Ext.P2 as early as possible with opportunity of hearing. Of course petitioner points out that this is a case where the suspension of the petitioner was unwarranted particularly having regard to the provisions contained in paragraph 16 (2)(a) and paragraph 16(2)(c) of Manual of Disciplinary Proceedings. He also contends that provisions of Rule 10 of the Rules are not complied with. These are matters which the petitioner can place before the appellate authority.

Accordingly the writ petition is disposed of directing the first respondent to consider and take a decision on Ext.P2 appeal in

accordance with law with opportunity of hearing to the petitioner within a period of one month from the date of receipt of a copy of this judgment. It is open to the petitioner to address all arguments and contentions available to him in law and all facts before the first respondent.

(K.M. JOSEPH, JUDGE)

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